

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**VISION BANK,**

**Plaintiff,**

**vs.**

**ALAN J. SWINDALL,**

**Defendant.**

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**Civil Action No. 09-0442-CG-M**

**CHARGING ORDER AGAINST ALAN J. SWINDALL**

WHEREAS, upon the Motion of Plaintiff for a Charging Order pursuant to Sections 10-12-35, and 10-9C-703, Ala. Code (1975), charging the individual financial interests of judgment debtor and Alan J. Swindall with payment \$4,834,532.59, the amount of the Final Judgment rendered by this Court on November 8, 2010, accrued interest thereon, and Costs, and consideration having been given by this Court, and good cause appearing, it is

**ORDERED AND ADJUDGED** that the financial individual interests of Defendant Allan J. Swindall in The Burns Company, LLC, Swindall Investments, LLC, The Shops at South Oates, LLC, Opelika Hotel Partners, LLC, Bel-Air Hotels, LLC, Shadow Wood Estates, LLC, Thomasville Apartments, LTD, Coosa-Tallapoosa Villas of Goodwater, LTD, Camellia Apartments, LTD, Coosa-Tallapoosa Villas of Jackson Gap, LTD, Evergreen Villas, LTD, Shawmut Apartments, LTD, Louisville Apartments, LTD, Shadow Wood Estates, LTD, Lee County Villas of Notasulga, LTD, Barbour Creek Apartments, LTD, and Manchester Apartments, LTD (“the Companies”), be charged with payment of the Final Judgment rendered in this action in favor of Plaintiff Vision Bank for \$4,834,532.59, accrued interest thereon, and costs, and that said Companies are Ordered to report to the Plaintiff each time a distribution is made with respect to any transferable interest, listing the amount and time of all distributions

made at the time or in connection with that distribution, and distribute to Plaintiff any amounts that become due or distributable to Vision Bank.

**DONE and ORDERED** this 30th day of November, 2010.

/s/ Callie V. S. Granade  
UNITED STATES DISTRICT JUDGE